

REMARKS

The Office Action dated October 31, 2007 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 1, 3, 7-8, 13-15, and 17 have been amended to more particularly point out and distinctly claim the subject matter which is the invention. Claims 18-35 have been added. No new matter has been added. Claims 1 and 3-35 are submitted for consideration.

Claims 1, 7, 8, 14, 15 and 17 were objected to because of informalities. Claims 1, 7, 8, 14, 15 and 17 have been amended to overcome the objection. Therefore, Applicants request that the objection be withdrawn.

Claims 1, 3-9 and 11-17 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,043,229 to Hazlewood (hereinafter Hazlewood) in view of U.S. Patent Publication No. 2004/0242226 to Bot (hereinafter Bot). According to the Office Action, Hazlewood discloses all of the elements of claims 1, 3-9 and 11-17 except for disclosing “forming at the operator determination function a modified subscriber identity having as its second field at least the content of the second field of the subscriber identity of the terminal that is to terminate the connection and having as its first field the content of the first field that is associated with that operator.” Therefore, the Office Action combined Hazlewood and Bot in an effort to yield claims 1, 3-9 and 11-17. The rejection is traversed as being based on references that neither teach nor

suggest the novel combination of features clearly recited in claims 1, 3-9 and 11-17, and newly added claims 18-35.

Claim 1, upon which claims 3-16 depend, recites a method including receiving, by an operator determination function of a network, a first message requesting a tariff for a connection and including a subscriber identity field including an indication of a subscriber identity of a terminal that is to terminate the connection. Each terminal in a communications system is associated with any of a plurality of operators and is addressable by the subscriber identity formatted to include a first field and a second field. The first field is, for at least some of the subscriber identities, indicative of the operator with which a respective subscriber identity is associated. The method also includes determining, by the operator determination function, the operator to which the subscriber identity of the terminal that is to terminate the connection is assigned, and content of the first field that is associated with that operator. The method further includes forming, at the operator determination function, a modified subscriber identity having as its second field at least the content of the second field of the subscriber identity of the terminal that is to terminate the connection and having as its first field the content of the first field that is associated with that operator. The method also includes forming, at the operator determination function, a second message requesting a tariff for a connection and including a subscriber identity field including the modified subscriber identity. The method also includes transmitting the second message to a control function configured to

analyze a subscriber identity received in a message requesting a tariff for a connection to determine a tariff based on the first field of the received subscriber identity.

Claim 17, upon which claims 21, 22 and 25-35 depend, recites an apparatus including an operator determination unit responsive to receiving a first message, including an indication of a subscriber identity of a terminal that is to terminate a connection. Each terminal in a communications system is associated with any of a plurality of operators and is addressable by the subscriber identity formatted to include a first field and a second field. The first field is, for at least some of the subscriber identities indicative of a operator with which a respective subscriber identity is associated. The operator determination unit is configured to determine the operator to which the subscriber identity of the terminal that is to terminate the connection is assigned, and content of the first field that is associated with that operator. The apparatus also includes an identity modifier configured to receive the content and form a modified subscriber identity having as its second field at least the content of the second field of the subscriber identity of the terminal that is to terminate the connection and having as its first field the content of the first field that is associated with that operator. The apparatus further includes a message former configured to receive the modified subscriber identity and form a second message requesting a tariff for a connection and including a subscriber identity field including the modified subscriber identity. The apparatus further includes a message transmitter for transmitting the second message to a control function configured to control the analysis of a subscriber identity received in a message requesting a tariff

for a connection to determine a tariff based on the first field of the received subscriber identity.

As outlined below, Hazlewood and Bot do not teach or suggest the all of the elements of the pending claims.

Hazlewood discloses a system and method for determining a tariff for real-time wireless service, such as pre-paid service for wireless telephone calls. A tariff determining node receives an initial detection point message which triggers a query to be sent to a location number portability database to determine whether the call is made to or from a ported number. Figures 2, 3, 4 and 5 of Hazlewood clearly show a modified service control point which receives the initial detection point message from a service switching point (SSP) / service switching function (SSF). See at least Col. 4, lines 56-60 of Hazlewood. The SSF is indicated as being the service switching point in Col. 3, lines 60-61 of Hazlewood. Col. 4, lines 65-67 of Hazlewood further discloses that the message includes the mobile subscriber international ISDN number (MSISDN) of the prepaid service subscriber and also the called party number requesting the tariff for the connection.

In Hazlewood, the modified service control point then, either internally or remotely, processes the request by using a local number portability point server, located within the service control point or within the pre-paid service data point to generate a response message which indicates to the service control point whether or not a number

has been ported. Dependent on this response message, a prefix may then be used to identify whether the call is within the operator's own network or in another network.

Bot discloses a method for accessing an intelligent network (IN services) implemented in a first telecommunication network by a terminal, which is subscribed to the first network and which is roaming in a second telecommunication network. The second network is coupled to the first network. The method includes the steps initiated by an IN service request number sent from the terminal and received in a second service switching function (SSF) in the second network. The steps include sending an IN service request detect message from the second SSF to a first SCF in the first network, based on the number and sending a redirect message from a second SCF to the second SSF. The redirect message includes a command to establish a connection and a destination number associated with the IN service to be accessed. The method also includes accessing the IN service from the second SSF by dialing an access number including the destination number. The destination number can include a prefix to the number sent from the terminal.

Applicants submit that the combination of Hazlewood and Bot does not teach or suggest the combination of features recited in the pending claims. Each of the pending claims, in part, recites receiving a first message requesting a tariff for a connection and including a subscriber identity field including an identification of a subscriber identity of a terminal that is to terminate a connection. Each of the pending claims also recites transmitting a second message requesting a tariff for a connection and including a

subscriber identity field including a modified subscriber identity to a control function configured to analyze a subscriber identity received in a message requesting a tariff for a connection to determine a tariff based on the first field of the received subscriber identity. Hazewood does not teach or suggest these features.

Hazlewood discloses a control node or a modified service control point which receives an initial message internally, determines the modified subscriber identity, and then transmits to a tariff database, a message for requesting the tariff. The present invention, on the other hand, solves the problem of the complexity of the control function by reciting a separate operator determination function which operates prior to the tariff control function and pre-processes the message requesting the tariff.

Bot does not cure any of the deficiencies of Hazlewood, as outlined above. Specifically, Bot does not teach or suggest receiving a first message requesting a tariff for a connection and including a subscriber identity field including an identification of a subscriber identity of a terminal that is to terminate a connection and transmitting a second message requesting a tariff for a connection and including a subscriber identity field including a modified subscriber identity to a control function configured to analyze a subscriber identity received in a message requesting a tariff for a connection to determine a tariff based on the first field of the received subscriber identity, as recited in the pending claims.

Based on the distinctions noted above, Applicants respectfully assert that the rejection under 35 U.S.C. §103(a) should be withdrawn because neither Hazlewood nor

Bot, whether taken singly or combined, teaches or suggests each feature of claims 1 and 17 and 18. Each of claims 3-16 and 19-35 depend on claims 1, 17 and 18 and should be allowed at least for their dependence on claims 1, 17 and 18, in addition to the further limitations recited in claims 3-16 and 19-35.

Claims 10 was rejected under 35 U.S.C. 103(a) as being unpatentable over Hazlewood in view of Bot and further in view of U.S. Patent Publication No. 2002/0176405 to Aijala (hereinafter Aijala). According to the Office Action, Hazlewood and Bot teach all of the elements of claim 10 except for teaching that the messages are SIP INVITE. Therefore, the Office Action combined the teachings of Hazlewood, Bot and Aijala in an effort to yield all of the elements of claim 10. The rejection is traversed as being based on references that do not teach or suggest each of the elements of claim 10.

Aijala is directed to a method of controlling cost associated with VoIP. Aijala does not cure the deficiencies of Hazlewood and Bot, as outlined above. Specifically, Aijala does not teach or suggest receiving a first message requesting a tariff for a connection and including a subscriber identity field including an identification of a subscriber identity of a terminal that is to terminate a connection, as recited in claim 1, upon which claim 10 depends. Aijala also does not teach or suggest transmitting a second message requesting a tariff for a connection and including a subscriber identity field including a modified subscriber identity to a control function configured to analyze a subscriber identity received in a message requesting a tariff for a connection to

determine a tariff based on the first field of the received subscriber identity, as recited in claim 1, upon which claim 10 depends.

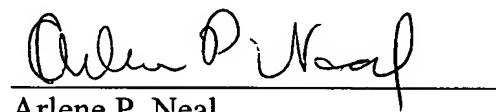
Based on the distinctions noted above, Applicants respectfully assert that the rejection under 35 U.S.C. §103(a) should be withdrawn because neither Hazlewood, Bot nor Aijala, whether taken singly or combined, teaches or suggests each feature of claim 1. Claim 10 depends on claim 1 and should be allowed at least for its dependence on claim 1, in addition to the further limitations recited in claim 10.

As noted previously, claims 1 and 3-35 recite subject matter which is neither disclosed nor suggested in the prior art references cited in the Office Action. It is therefore respectfully requested that all of claims 1 and 3-35 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



Arlene P. Neal
Registration No. 43,828

Customer No. 32294
SQUIRE, SANDERS & DEMPSEY LLP
14TH Floor
8000 Towers Crescent Drive
Tysons Corner, Virginia 22182-2700
Telephone: 703-720-7800
Fax: 703-720-7802

APN:kh

Enclosures: Petition for Extension of Time
Additional claim fee transmittal
Check No. 18235